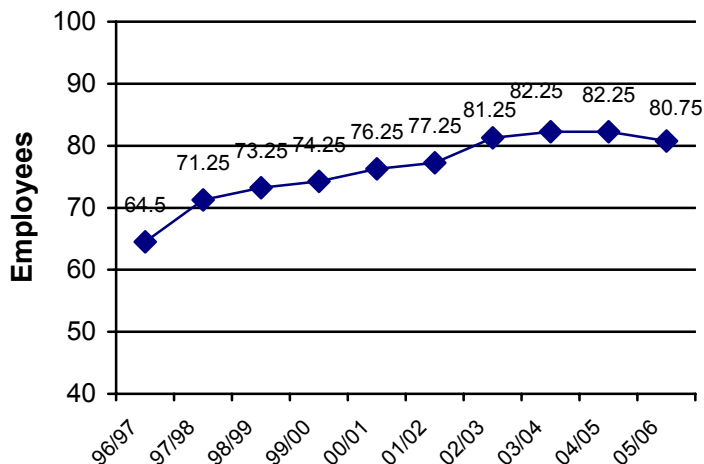


**MISSION STATEMENT**

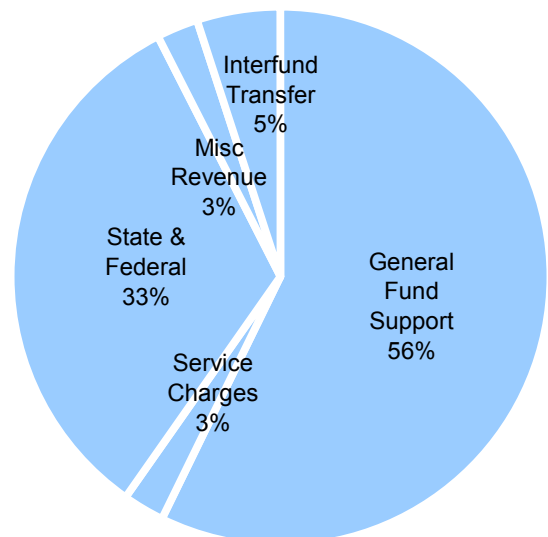
To promote crime prevention and protect the rights and ensure the safety of the citizens of California within the County of San Luis Obispo through criminal prosecutions, civil enforcement remedies, victim-witness services and family support criminal enforcement actions, all in accordance with federal and state constitutions, statutes and case law.

	2003-04	2004-05	2005-06	2005-06	2005-06
<u>Financial Summary</u>	<u>Actual</u>	<u>Actual</u>	<u>Requested</u>	<u>Recommended</u>	<u>Adopted</u>
Revenues	\$ 3,360,985	\$ 3,354,961	\$ 4,186,667	\$ 3,860,323	\$ 3,860,323
Salary and Benefits	9,233,037	9,331,793	9,753,811	9,425,578	9,425,578
Services and Supplies	835,488	771,415	908,378	796,008	796,008
Other Charges	0	0	0	40,000	40,000
Fixed Assets	0	10,484	12,000	0	0
<b>**Gross Expenditures</b>	<b>\$ 10,068,525</b>	<b>\$ 10,113,692</b>	<b>\$ 10,674,189</b>	<b>\$ 10,261,586</b>	<b>\$ 10,261,586</b>
Less Intrafund Transfers	484,747	448,114	510,570	511,231	511,231
<b>**Net Expenditures</b>	<b>\$ 9,583,778</b>	<b>\$ 9,665,578</b>	<b>\$ 10,163,619</b>	<b>\$ 9,750,355</b>	<b>\$ 9,750,355</b>
General Fund Support (G.F.S.)	<u>\$ 6,222,793</u>	<u>\$ 6,310,617</u>	<u>\$ 5,976,952</u>	<u>\$ 5,890,032</u>	<u>\$ 5,890,032</u>

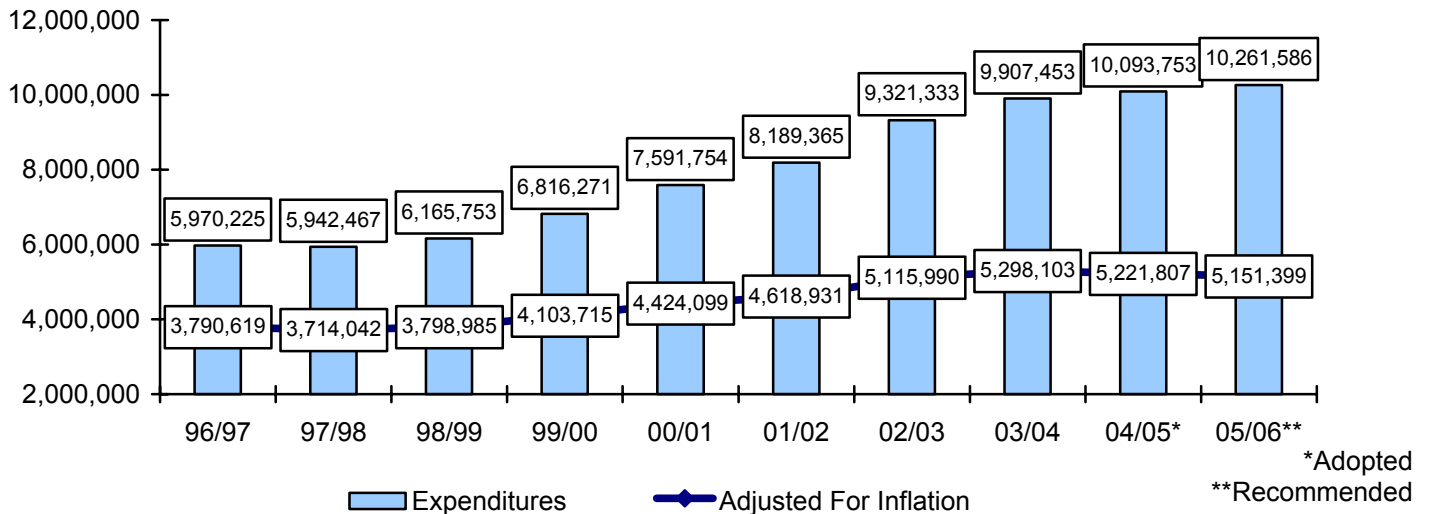
**Number of Employees**  
(Full Time Equivalent)



**Source of Funds**



## 10 Year Expenditures Adjusted For Inflation



### SERVICE PROGRAMS

#### Administration

To provide overall policy development, program supervision, fiscal and personnel administration, automation management and community relations.

Total Expenditures: \$923,543 Total Staffing (FTE): 6.25

#### Consumer/Environmental

To investigate and pursue legal remedies to resolve consumer and environmental complaints.

Total Expenditures: \$718,312 Total Staffing (FTE): 8.0

#### Victim-Witness

To assist victims with recovery from crimes and coordinate witness appearances in court.

See Budget Unit 2562 - Victim-Witness

#### Prosecutions

To review, file, investigate and prosecute felony, misdemeanor and juvenile criminal violations in a vigorous, efficient, just and ethical manner.

Total Expenditures: \$8,619,732 Total Staffing (FTE): 66.5

### DEPARTMENT COMMENTS

The District Attorney's goals include public safety promotion through the efficient and appropriate use of investigation and criminal sanctions to deter criminal activity, to protect society and to punish criminal conduct. The annual California Crime Index (CCI) reflects the number of serious crimes in the county per 100,000 population. San Luis Obispo County regularly ranks among the five lowest of the 58 counties in the state as far as serious crimes.

The department has maximized the efficient use of Criminal Justice System resources by promptly and effectively handling cases. For example, the percentage of the 16,000 annual misdemeanor adult cases brought to final disposition within 90 days is approximately 98%, well above the state's annual average. By bringing such cases to trial or disposition in a timely fashion, witnesses, victims and justice all are served well.

The ongoing enhancement of law enforcement collaborative investigation efforts and communication is another area of excellence in law enforcement promoted by the District Attorney's Office. The department is involved in the following effective multi-agency task forces: Gang, Elder Abuse, Environmental Crimes, DUI, Narcotics, High Tech, Central Valley Rural Crimes, Sexual Offender Management, Suspected Abuse Response Team, Child Abuse Interview Team and the Domestic Violence Task Force.

The department also promotes a community approach to juvenile crime which blends the effective use of treatment or diversion programs with the appropriate use of criminal sanctions so as to rehabilitate juveniles and deter their criminal activity.

The department's Bad Check Unit provides services to victims who receive bad checks so that they may promptly recover restitution for non-sufficient funds (NSF) checks and to victims of other consumer fraud and environmental crime.

The department continues to provide Victim/Witness services and family support enforcement actions, all in accordance with federal and state constitutions, statutes and case law.

During the current fiscal year, our department has successfully investigated and prosecuted numerous serious cases including: child abductions; bank robberies; large scale embezzlements by public employees, elder caregivers and lawyers; gang related stabbings and drive-by shootings; multi-count child molests; multi-count burglaries; arsons; school bomb threats; assaults on staff at Atascadero State Hospital; and numerous homicides including a drunk driving murder and a 20-year-old cold-hit capital case.

The proposed Status Quo Budget results in an 11% increase in net county cost (\$617,602). This budget level will, in effect, maintain existing resources and staff which were approved in the 2004-05 Board adopted budget. There are no new positions requested.

Thank you for your consideration of this request.

#### **COUNTY ADMINISTRATOR'S COMMENTS AND RECOMMENDATIONS**

As compared to the FY 04-05 budget, the recommended budget for the District Attorney's Office provides an increase of \$530,682 (9%) in General Fund dollars, an increase of \$204,338 (2%) in total expense and decline of \$326,344 (7%) in total revenues.

The recommended revenues for this department are \$326,344 (7%) less than FY 04-05. Evaluation of historical revenue trends for this department resulted in the recommendation that revenues be set a lower level than requested by the department. Although Proposition 172 (the ½ cent sales tax applied to public safety) shows a healthy gain of about \$297,000 or 13% higher than the amount budgeted in FY 04-05, other revenue sources are showing a decline or are to set at a level that is not supported by actual receipts. Declining revenues include:

- SB 90 State mandated costs – reduced by \$218,907 due to state suspension of payments for child abduction expenses and other previously reimbursable expenses.
- Settlements and Judgments are at \$80,000 less than requested. The revenue in this account fluctuates and the recommended amount is more consistent with actual department revenue received over the past several years.
- Environmental Settlements shows a decline of \$61,932. Revenue estimates for this account fluctuate based upon caseload and the recommended amount is more consistent with actual receipts.
- Other Revenue shows a reduction of \$279,730 from FY 04-05. Much of this is due to reduced projected revenue associated with Southwest Border Prosecution reimbursements.

Recommended total expenditures are increased by \$204,338 (2%) above the budgeted expenditures for FY 04-05. Recommended expenditures are less than requested due to the decline in revenues discussed above.

Salary and benefit accounts are proposed to increase by only \$92,474, about 1% over FY 04-05. Recommended reductions in salary and benefit accounts include the elimination of one vacant District Attorney Investigator position for a savings of about \$90,000 and about \$236,000 of expected salary and benefit savings from vacant positions due to retirements and hiring at lower salary levels. The elimination of the Investigator position is not expected to adversely affect the overall service levels, as the position has been vacant for the past year due to lack of offsetting funding from the Department of Child Support Services.

Service and supply accounts are recommended to increase by \$65,904 or 9% above the amount budgeted in FY 04-05. This increase can be attributed to a combination of increases and decreases in a variety of service and supply accounts, with the largest increases being in Countywide Overhead (\$44,997), Insurance (\$7,378) and garage charges (\$13,410). No Fixed Assets are recommended for this department budget.

**BOARD ADOPTED CHANGES**

None.

**GOALS AND PERFORMANCE MEASURES**

<b>Department Goal:</b> To promote public safety through the efficient and appropriate use of investigations and criminal sanctions so as to deter criminal activity, protect society and punish criminal conduct. <b>Communitywide Result Link:</b> A safe community.						
<b>1. Performance Measure: The annual California Crime Index (CCI)</b>						
00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
940 – County CCI; 1750 statewide county average CCI	1008– County CCI; 1845 statewide county average CCI	1057– County CCI; 1890 statewide county average CCI	1112 – County CCI; 1947 statewide average CCI	Remain well below the statewide county average	Not available	Remain well below the statewide county average
<b>What:</b> The CCI reflects the number of serious crimes in the county per 100,000 population. <b>Why:</b> To compare our county's serious crime rate with that of other California counties. For calendar year 2003 (latest year available), the Department of Justice included Grand Theft within the CCI. For comparison purposes to previous years, Grand Theft has been removed from all 2003 calculations. San Luis Obispo County's adjusted CCI is 1,112 serious crimes per 100,000 population. The statewide adjusted county CCI is 1,947 serious crimes per 100,000 population. <b>How are we doing?</b> San Luis Obispo County ranks among the lowest of the 58 counties in the state for serious crime.						
<b>Department Goal:</b> To maximize the efficient utilization of Criminal Justice System resources by promptly and effectively handling cases. <b>Communitywide Result Link:</b> A safe community; a well-governed community.						
<b>2. Performance Measure: Percentage of misdemeanor cases brought to final disposition within 90 days of arraignment.</b>						
00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
96%	97%	98%	98%	98%	94%	96%
<b>What:</b> The percentage of the approximately 16,000 annual misdemeanor criminal cases which are brought to a final disposition within 90 days of arraignment as tracked by the "90-day case aging" report generated by the District Attorney's Office and the Court. <b>Why:</b> To determine prosecution workload efficiency. <b>How are we doing?</b> The vast majority of misdemeanor cases are tried in a timely fashion, serving the interests of justice, victims and witnesses. The new court calendaring system has impacted workload efficiency. Misdemeanor cases, previously prosecuted exclusively in 3 misdemeanor trial courts, are now assigned to 6 courts which share both felony and misdemeanor responsibilities. Felony cases usually take precedence over misdemeanor cases on the calendar resulting in an increase in the number of misdemeanor cases that are brought to disposition after 90 days.						
<b>3. Performance Measure: Number of established cooperative efforts and standardized communication methods with law enforcement.</b>						
00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
7 state and federal grants and subsidies for DA and/or other county departments	7	7	11	11	11	10 or more
<b>What:</b> Pooling of investigative resources and use of technologically advanced methods of communication between agencies. <b>Why:</b> Successful multi-agency investigations qualified the District Attorney for State and Federal funding, and inter-agency communications provides a state leadership role in technological innovation. <b>How are we doing?</b> State and federal grants and subsidies have been obtained through District Attorney and other law enforcement agency collaboration efforts involving:						
1. Gang Task Force 2. Elder Abuse Task Force 3. Environmental Crimes Task Force 4. Narcotics Task Force 5. Child Abduction Investigation Prg 6. Worker's Compensation Fraud 7. Sexual Offender Mgt Task Force 8. Domestic Violence Task Force 9. Central Valley Rural Crimes 10. High Tech Task Force 11. DUI Task Force						
<b>Department Goal:</b> To promote a community approach to juvenile crime which blends the effective use of treatment or diversion programs with the appropriate use of criminal sanctions so as to rehabilitate the juvenile and deter criminal activity.						

**Communitywide Result Link:** A safe community

**4. Performance Measure: Number of juvenile criminal prosecution petitions reviewed and filed annually.**

00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
850	800	794	733	Less than 825	711	Less than 800

**What:** This measures the number of new juvenile criminal petitions filed with the Superior Court per year. A juvenile petition is defined as a Superior Court document charging an individual under 18 years of age with criminal offenses enumerated within the standard California codes (such as the Penal Code and Health & Safety Code).

**Why:** This measure is important to track as it represents the more serious juvenile criminal activity within the county; i.e., cases which cannot be handled through probation diversion programs.

**How are we doing?** The number of juvenile prosecutions has declined for the last several years.

**Department Goal:** To provide services to victims who receive bad checks so that they may promptly recover restitution for non-sufficient funds (NSF) checks, and to victims of other consumer fraud and environmental crime.

**Communitywide Result Link:** A safe community; a prosperous community.

**5. Performance Measure: Bad check recovery ratio and recovery totals.**

00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
65% and 330,000 restitution to victims	65% and 372,000 restitution to victims	65% and 424,000 restitution to victims	65% and 359,885 restitution to victims	65% and over 400,000 restitution to victims	65% and 372,262 restitution to victims	65% and over 375,000 restitution to victims

**What:** Percentage of recovery on bad check cases processed by the Bad Check Unit and the amount of restitution recovered.

**Why:** The higher the collection percentage and amount of restitution recovered, the more effective the program.

**How are we doing?** Because of administrative fees charged to the bad check writer, the program costs are substantially covered by the administrative fees. Collections exceeded traditional private agency rates at no cost to the victim. Other counties have modeled their District Attorney Bad Check Programs upon San Luis Obispo.

**6. Performance Measure: Average restitution recovery period from case opening.**

00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
80 days	60 days	60 days	60 days	60 days	60 days	60 days

**What:** The average number of business days required to recover restitution for victims.

**Why:** The more rapid the case initiation and restitution recovery, the more prosperous and healthy the community.

**How are we doing?** The Bad Check Division initiates cases involving approximately 7000 checks per year, with an average case opening period of four (4) days and an average restitution recovery period of sixty (60) days.

<b>Department Goal:</b> Assisting victims to recover from the aftermath of crime and minimizing the inconvenience to witnesses involved in the criminal justice system.						
<b>Communitywide Result Link:</b> A safe community; a healthy community.						
<b>7. Performance Measure: The annual number of direct, coordinated services to victims and the coordination of subpoenaed witnesses.</b>						
00-01 Actual Results	01-02 Actual Results	02-03 Actual Results	03-04 Actual Results	04-05 Adopted	04-05 Actual Results	05-06 Target
2500 victims; 12,000 subpoenaed witness court appearances	2900 victims; 12,000 subpoenaed witness court appearances	3000 victims; 12,000 subpoenaed witness court appearances	2981 victims; 11350 subpoenaed witness court appearances	3000 victims; 12,000 subpoenaed witness court appearances	3348 victims; 10,434 subpoenaed witness court appearances	3200 victims; 11,000 subpoenaed witness court appearances
<b>What:</b> The number of crime victims served by the Victim Witness Division and the number of subpoenaed witnesses notified.						
<b>Why:</b> Notification and coordination of, and assistance to, witnesses and crime victims regarding the criminal justice system enhances public safety.						
<b>How are we doing?</b> We are consistently meeting and exceeding our targets. Please see Budget Unit 2562, District Attorney Victim/Witness Division, for other goals and performance measures incorporated herein by reference.						